DODGE COUNTY PLANNING, DEVELOPMENT AND PARKS COMMITTEE MINUTES August 1, 2016

The Dodge County Planning, Development and Parks Committee met on August 1, 2016 at 7:00 p.m. on the 1st Floor of the Administration Building, Juneau, Wisconsin.

Chairman Schaefer called the meeting to order. Roll Call was taken. Members present were Tom Schaefer, Allen Behl, William Muche, Joseph Marsik and Janice Bobholz. The staff present at the request of the Chairman were Joyce Fiacco, Bill Ehlenbeck, Dean Perlick and Joseph Giebel.

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Mr. Giebel noted that the meeting was properly noticed in accord with the open meeting law and noted that the required notices for the public hearings listed on the agenda were posted, mailed and published in accord with the statute and code requirements.

The agenda was reviewed.

Motion by Janice Bobholz to approve the agenda and allow the Chairperson to go out of order as needed to efficiently conduct the meeting. Second: Allen Behl Motion carried.

COMMITTEE REVIEW OF PENDING CONDITIONAL USE PERMIT

1. William Kirchberg, agent for Kirchberg Trust - Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 3.7-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the NE ¼, SW ¼, Section 34, Town of Calamus, the site address being W10797 County Road S. Decision laid over from June 20, 2016.

Motion by Joseph Marsik to approve the conditional use permit to allow for the creation of an approximate 3.7-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District subject to the following conditions:

- 1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
- 2. The proposed non-farm residential lot shall not exceed 3.7-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
- 3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
- 4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
- 5. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
 - 008-1113-3431-000; 008-1113-3434-000;
- 6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use

Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;

7. The decision of the Committee is valid for one year.

Second by Bill Muche

Vote 5-0

Motion carried.

ADMINISTRATIVE BUSINESS

Economic Development

1. **Southeastern Wisconsin Regional Planning Commission** - Cooperative Agreement Relative to Transportation Planning Services in that Portion of Dodge County Included in the West Bend Urbanized Area. Review and recommendation to Dodge County Board of Supervisors.

The Committee was informed that the Southeastern Wisconsin Regional Planning Commission is the regional planning agency for infrastructure and land use for the seven-county region of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha Counties. This Commission is also the designated Metropolitan Planning Organization for transportation planning for the urbanized areas within Southeastern Wisconsin, including West Bend. The adjusted West Bend urbanized area extends into Dodge County, with almost all of the adjusted urbanized area being located within the City of Hartford

Being designated as an urbanized area brings with it Federal requirements for metropolitan, or area wide transportation planning and programing for the urbanized area. These requirements must be met in order for Federal highway and transit funds to continue to be used for local, as well as county and State transportation improvement projects within the urbanized area.

Since a portion of Dodge County is included in the West Bend Urbanized area, the Commission is seeking a cooperative agreement with Dodge County relative to the conduct of necessary transportation planning activities, thereby ensuring that Federal Transportation funding for highways, transit, or other transportation improvements are available for use in the Dodge County portion of the West Bend urbanized area.

The Committee was given a copy of the proposed cooperative agreement and authorizes the Chairman of the Dodge County Board of Supervisors and the Dodge County Clerk to sign, on behalf of Dodge County, the Cooperative Agreement. The resolution also authorizes the Dodge County Highway Commissioner, or his designee, as the individual to serve as liaison with the Commission.

Motion by Joseph Marsik to recommend approval of the cooperative agreement as proposed.

Second by Janice Bobholz Vote: 5-0 Motion carried.

2. Review Revolving Loan Fund Application - Beaver Dam Cold Storage, LLC.

Dean Perlick provided the Committee with information on a proposed revolving loan fund loan request for Beaver Dam Cold Storage LLC in the amount of \$400,000.00. The loan proceeds would be used to help purchase refrigeration equipment needed for the new facility. At least 13 new full time jobs would be created. Up to 37 new jobs would be created if you calculate the number of new jobs based on the current employment at their existing facility in Beaver Dam. The new Beaver Dam Cold Storage Facility would be constructed in the 151 Business Park in Beaver Dam. The facility will be the only Safe Quality Foods warehouse in Wisconsin. Length of the loan to be 10 years, amortized on a 20 year basis. Interest to be fixed at 3.5%. Collateral would be 2^{nd} position on all real estate owned by Greg and Jean Barnett. Interest only payments will begin after the closing date. Full loan payment will begin 12 months after the loan closing date.

Motion by Bill Muche to submit a resolution to the County Board supporting this loan agreement.

Second by Allen Behl

Vote: 5-0

Motion carried.

The hearing procedures were read into the record.

PUBLIC HEARING

Anthony Brossard, agent for Brossard Dairy Farm LLC – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow an animal confinement facility within the A-1 Prime Agricultural Zoning District with a maximum of 775 animal units on this site. The property is located in part of NE¼, SE¼, Section 12, T12N, R14E, Town of Trenton, the site address being N9044 Basswood Road.

Motion by Bill Muche to approve the request for a conditional use permit to allow an animal confinement facility within the A-1 Prime Agricultural Zoning District with a maximum of 775 animal units on this site subject to the following conditions:

- 1. The applicant shall follow all terms/provisions/requirements set forth in the approved ATCP 51 Livestock Siting application.
- 2. Any significant change to the existing or proposed facilities for this operation, any modification or addition of manure storage facilities on this site and any future expansion of the facility that would exceed 775 Total Animal Units (AU), may require that a new or modified Conditional Use Permit (CUP) be approved.

Second by Allen Behl

Vote 5-0

Motion carried.

PUBLIC HEARING

Robert Koch, agent for St. Peters Evangelical Lutheran Church – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to bring the church and school use of the property into compliance with the Code in order to allow the construction of a replacement garage on said property. The site is located in part of the SE ¼, NE ¼, Section 31, Town of Oak Grove, the site address being N5180 County Road A

Motion by Janice Bobholz to approve the conditional use permit to bring the church and school use of the property into compliance with the Code in order to allow the construction of a replacement garage on said property subject to the following conditions:

- 1. The use of the property shall be conducted without offensive noise, vibration, dust, smoke, odor, glare, lighting or the risk of fire, explosion or other accident and shall not be detrimental to the public health and safety or general welfare of the immediate neighborhood or community;
- 2. The use of the property shall be operated in accord with the narrative submitted with the Conditional Use Permit application;
- 3. There shall be no on-street parking along County Road A;
- 4. All exterior lighting shall meet the functional and security needs of the proposed development without adversely affecting adjacent properties:
- 5. A County Land Use permit shall be obtained for the proposed replacement garage prior to beginning construction on the garage:
- 6. Any significant change to or expansion of church and school facilities on this site may require that a new Conditional Use Permit be obtained.
- 7. The decision of the Committee is valid for one year.

Second by Joseph Marsik Vote 5-0 Motion carried.

COMMITTEE REVIEW OF PENDING CONDITIONAL USE PERMIT

Dodge County Drainage Board, agent for Eugene and Lois Voigt – Request for a Conditional Use Permit under the Shoreland Protection Ordinance, Dodge County, Wisconsin to allow filling, grading or dredging on the bed of a navigable waterway (Pratt Creek) associated with the installation of a 36" diameter non-perforated pipe to replace an existing 24" diameter perforated drain tile at this location in order to maintain the existing agricultural drainage in this area. The property is located in part of the NE ¼, NE ¼, Section 20, Town of Oak Grove

Motion by Joseph Marsik to approve a conditional use permit to allow filling, grading or dredging on the bed of a navigable waterway (Pratt Creek) associated with the installation of a 36" diameter non-perforated pipe to replace an existing 24" diameter perforated drain tile at this location in order to maintain the existing agricultural drainage in this area subject to the following conditions:

- 1. It shall be the responsibility of the applicant to obtain all permits or approvals that may be required (e.g., Wisconsin Department of Natural Resources and/or U.S. Army Corps of Engineers) for the proposed project.
- 2. All disturbed areas shall be leveled and graded (as needed) and seeded to permanent vegetation as soon as possible to prevent erosion of silt/sediment into the waterway.
- 3. The proposed project shall not obstruct flow and shall not increase the regional flood height.
- 4. All erosion control measures required by the applicable Federal, State, County and Local codes shall be in place and shall be maintained throughout the duration of the project in accordance with Best Management Practices.
- 5. All work shall be done in accord with the plans and specifications submitted on June 13, 2016.
- 6. The decision of the Committee is valid for one year.

Second by Bill Muche Vote 4-1 (Bobholz) Motion carried.

TOWN REZONING REQUEST

1. Frank Verhunce Jr. – Part of the SE ¼, SW ¼, Section 34, Town of Theresa, Dodge County, Wisconsin, the site address being W1186 Hochheim Road. Petition to rezone approximately 5-acres of land under the Town of Theresa Zoning Ordinance, from the A-1 Farmland Preservation Zoning District to the A-2 General Agricultural Zoning District has been submitted by the Town of Theresa Town Board to the Dodge County Board of Supervisors for approval. Committee review and recommendation to the County Board.

Motion by Bill Muche to submit a favorable recommendation to the County Board of Supervisors on the petition to rezone approximately 5-acres of land under the Town of Theresa Zoning Ordinance, from the A-1 Farmland Preservation Zoning District to the A-2 General Agricultural Zoning District.

Second by Allen Behl

Vote 5-0

Motion carried.

2. JM Schmidt & Sons Inc. – Part of the SE ¼, SW ¼, Section 34, Town of Theresa, Dodge County, Wisconsin, the site address being N7383 County Road P. Petition to rezone approximately 1.67-acres of land under the Town of Theresa Zoning Ordinance, from the A-2 General Agricultural Zoning District to the A-1 Farmland Preservation Zoning District has been submitted by the Town of Theresa Town Board to the Dodge County Board of Supervisors for approval. Committee review and recommendation to the County Board.

Motion by Joseph Marsik to submit a favorable recommendation to the County Board of Supervisors on the petition to rezone approximately 1.67-acres of land under the Town of Theresa Zoning Ordinance, from the A-2 General Agricultural Zoning District to the A-1 Farmland Preservation Zoning District.

Second by Janice Bobholz Vote 5-0 Motion carried.

3. Kenneth and Joanne Schultz – Part of the NW ¼, SW ¼, Section 1, T10N, R14E, Town of Lowell, Dodge County, Wisconsin, along the southeast side of Wick Road. Petition to rezone approximately 2 to 3 acres of land under the Town of Lowell Zoning Ordinance, from the AG General Agricultural Zoning District to the RC1 Rural Cluster Residential Overlay Zoning District has been submitted by the Town of Lowell Town Board to the Dodge County Board of Supervisors for approval. Committee review and recommendation to the County Board.

Motion by Allen Behl to submit a favorable recommendation to the County Board of Supervisors on the petition to rezone approximately 2 to 3 acres of land under the Town of Lowell Zoning Ordinance, from the AG General Agricultural Zoning District to the RC1 Rural Cluster Residential Overlay Zoning District.

Second by Janice Bobholz Vote 5-0 Motion carried.

4. Craig and Sally Shoemaker – Part of the SE ¼, SE ¼, Section 27, T11N, R14E, Town of Lowell, Dodge County, Wisconsin, the site address being W8088 Chapel Road. Petition to rezone approximately 25.02-acres of land under the Town of Lowell Zoning Ordinance, from the AG General Agricultural Zoning District to the RC1 Rural Cluster Residential Overlay Zoning District has been submitted by the Town of Lowell Town

Board to the Dodge County Board of Supervisors for approval. Committee review and recommendation to the County Board

Motion by Joseph Marsik to submit a favorable recommendation to the County Board of Supervisors on the petition to rezone approximately 25.02-acres of land under the Town of Lowell Zoning Ordinance, from the AG General Agricultural Zoning District to the RC1 Rural Cluster Residential Overlay Zoning District.

Second by Bill Muche

Vote 5-0

Motion carried.

PARK SYSTEM

1. Parks Report;

Bill Ehlenbeck provided the committee with an update on the current park revenue and the vehicle counts for the parks.

Bill provided the committee with an update on the Gold Star Trail fundraising status. Bill informed the Committee that a decision was made by the Friends of the Parks group that the group will no longer hold the Winterfest fundraising event due to volunteer burnout and logistic struggles due to weather. The group will continue to have the Fall Fest fundraising event and will try to incorporate some of the Winterfest activities at this event.

2. Consider, discuss and take action on request to approve new seasonal park position.

A resolution requesting the creation of one new, part-time, seasonal, benefited position of Parks Crew Leader was presented to the Committee for review.

Motion by Janice Bobholz to support the resolution to create the position as proposed.

Second by Joseph Marsik

Vote 5-0

Motion carried.

3. Consider, discuss and take action on request to adjust wage structure for seasonal park employees.

Withdrawn from consideration at this time. Staff will be working with other County Departments and the HR Department to put forth a joint proposal for other Non-Classified, Non-Represented employees for 2017 implementation

OTHER BUSINESS

1. The minutes from the July 11, 2016 meeting were reviewed by the Committee.

Motion by Janie Bobholz to approve the minutes as written.

Second by Bill Muche

Vote: 5-0

Motion carried.

- 2. No Committee Member Reports
- 3 No additional Per Diems
- 4. Update on the Town of Fox Lake's Adoption of County Zoning.

Mr. Giebel informed the Committee that the Town of Fox Lake is in the process of adopting County Zoning. The staff will be working with the Town Board to create a zoning boundary map for the Town. When the zoning map is completed a petition will be forwarded to the Committee and the County Board to adopt the new zoning map.

Motion by order of the Chairperson to adjourn the meeting. Motion carried.

Meeting adjourned at 9:26 p.m.

Respectfully Submitted,

Aller Behl, Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.